

Appl. No. 10/603,546
Examiner: RIELLEY, ELIZABETH A, Art Unit 2879
In response to the Office Action dated September 7, 2005

Date: December 7, 2005
Attorney Docket No. 10112271

REMARKS

Responsive to the Office Action mailed on September 7, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1, 3-5, 8, 10, 12, 14, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Toyoda et al (JP2001-138482). Claims 2, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Amrine et al (US 5,717,287). Claims 6, 7, 11, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Barton et al (US 6,617,772). Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Yakou et al (US 5,855,637).

In this paper, claim 1 is amended to recite that spacers are magnetic and the inductive chuck attracts the spacers by magnetic force. New claims 23 and 24 recite respectively that the magnetic force lifts the spacers and brings them into contact with the inductive chuck, and the spacers are released from the inductive chuck by interrupting the magnetic force. Support for the new claims can be found on page 5, lines 13-20, page 7, lines 23-28, page 8, lines 1-4, and Figs. 4b of the application. New claims 25-29 have been added reciting that the spacers are made of electrostatic materials, and the inductive chuck attracts the spacers by electrostatic force. Support for the new claims can be found in original claims 1 and 10-13 and page 5, lines 9-20, and page 6, lines 16-28 and Fig. 1b of the application. Claims 5, 7, 8 and 14 have been amended to correct informalities and to depend from claim 1. Claims 3-4 and 10-13 are canceled. Thus, on entry of this amendment, claims 1-2, 5-9, and 14-29 are pending in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Rejections Under 35 U.S.C. 102(b)

Claims 1, 3-5, 8, 10, 12, 14, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Toyoda et al. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

Amended claim 1 provides a method of repositioning display spacers using inductive attraction comprising the step of providing magnetic spacers. As is well known in the art, the term "magnetic spacers" describes spacers partially or entirely comprised magnetic materials, i.e., materials that can be attracted by magnetic force. Further, claim 1 recites a step of providing an inductive chuck to attract the spacers by magnetic force.

Toyoda et al do not teach or suggest a method of repositioning display spacers using inductive attraction comprising the steps of providing magnetic spacers, and providing an inductive chuck to attract the spacers by magnetic force, as recited in claim 1.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Toyoda et al disclose a three-dimensional structure transfer method and apparatus. In the method, a barrier rib (spacer) is disposed between front and back substrates of a PDP. First, a paste-like barrier rib material 2 is filled into a mold 1 comprising a mother die 1b attached to a base material 1a. A rubber magnet 4 is provided to attract the base material 1a to fix on a stainless plate 3a. A press roller is provided to press the back face of the stainless plate 3a to

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contact-bond to a substrate 5 and move in a predetermined direction. Finally, the mother die 1b and the base material 1a are peeled from the substrate and the paste-like barrier rib material 2 is cured on the substrate 5. The cured paste-like barrier rib material 2 serves as spacer.

It is noted that the paste-like barrier rib material 2 is not made of magnetic material. Namely, Toyoda et al teach that the paste-like barrier rib material 2 is low-melting glass powder, inorganic filler, a binder resin or an organic solvent, which are not regarded as magnetic materials by a person of ordinary skill in the art. Further, Applicant notes that the mold 1 comprising the mother die 1b and the base material 1a (magnetic material) is not used as a display spacer, since the mold 1 is peeled off after fixing the barrier rib (paste-like barrier rib material 2) on the substrate 5.

It is further noted that in the office action dated September 7, 2005, the Examiner acknowledged that Toyoda et al do not teach that the spacers themselves are magnetic. See page 7, lines 3-4 of the office action.

For at least the reasons described above, it is Applicant's belief that Toyoda et al fail to teach or suggest all the limitations of claim 1. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn and the claim passed to issue. Insofar as claims 2-3, 5-9 and 14-24 depend from claim 1 either directly or indirectly, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance.

Rejections Under 35 U.S.C. 103(a)

Claims 2, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Amrine et al. Claims 6, 7, 11, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Barton et al. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al in view of Yakou et al.

As noted above, it is Applicant's belief that claims 2, 6-7, 10-11, 13, 15-20 and 22 are allowable by virtue of their dependency from claim 1. For this reason, the Examiner's arguments in connection with these claims are considered moot and will not be addressed here.

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New Claims 23-29

New claims 23 and 24 respectively recite that the magnetic force lifts the spacers and brings them into contact with the inductive chuck, and the spacers are released from the inductive chuck by interrupting the magnetic force. Neither of these limitations is believed to be taught or suggested in the cited references:

New claim 25 provides a method of repositioning display spacers comprising the steps of providing spacers made of electrostatic materials, and providing an inductive chuck to attract the spacers by electrostatic force. The spacers are positioned in desired positions on a substrate using the inductive chuck. New claims 26 and 27 respectively recite that the electrostatic force lifts the spacers and brings them into contact with the inductive chuck, and the spacers are released from the inductive chuck by interrupting the electrostatic force. Applicant submits that none of the cited references teach or suggest a method of repositioning display spacers including the above-described steps.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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